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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT TACOMA

9 BRETT WELCH and HEIDI WELCH, individually
and as husband and wife,

10 Plaintiffs,

11 v.

12 PROGRESSIVE DIRECT INSURANCE
13 COMPANY, a foreign corporation doing business in
Washington,

14 Defendant.
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No. 3:21-cv-5564-BHS

**STIPULATED MOTION TO
REMAND**

16 COMES NOW PLAINTIFFS AND DEFENDANT through their undersigned attorneys
17 and hereby stipulate as follows:

18 **I. STIPULATION**

19 On or about June 24, 2021, Plaintiffs Brett and Heidi Welch filed a complaint for damages
20 in the Pierce County Superior Court, Cause No. 21-2-06422-3. On August 5, 2021, Defendant
21 Progressive Direct Insurance Company filed a notice of removal on the basis of diversity of
22 jurisdiction and the amount in controversy exceeding the jurisdictional minimum of \$75,000. On
23 August 11, 2021, Plaintiffs Brett and Heidi Welch signed a stipulation waiving any entitlement to
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any and all amounts in excess of \$75,000 in this case. Accordingly, the jurisdictional threshold for federal diversity jurisdiction under 28 U.S.C. § 1332 is not and will not be met. Accordingly, this matter should be remanded to state court, Pierce County Superior Court Cause No. 21-2-06422-3, for proceedings consistent with this stipulation.

DATED this 11th day of August, 2021.

LEATHER LAW GROUP

RON MEYERS & ASSOCIATES PLLC

/s/ Thomas Lether

/s/ Eric J. Neal

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II. ORDER

Based on the foregoing Stipulation, it is hereby ORDERED, ADJUDGED AND DECREED that the amount in controversy does not exceed the jurisdictional minimum of \$75,000. It is further ORDERED, ADJUDGED AND DECREED that the above-captioned matter is remanded to Pierce County Superior Court Cause No. 21-2-06422-3 for further proceedings.

DATED this 23rd day of August, 2021.



BENJAMIN H. SETTLE
United States District Judge

CERTIFICATE OF SERVICE

The undersigned hereby certifies under the penalty of perjury under the laws of the State of Washington that on this date I caused to be served in the manner noted below a true and correct copy of the foregoing on the parties mentioned below as indicated:

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Ron Meyers
Tim Friedman
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Counsel for Plaintiffs

By: ☐ **First Class Mail** ☒ **ECF/Email**

Dated this 17th day of August at Seattle, Washington.

/s/ Nico Schulz
Nico Schulz | Paralegal